

# SENATE BILL REPORT

## SB 5467

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As Reported By Senate Committee On:  
Law & Justice, February 15, 1995

**Title:** An act relating to the size of the state supreme court.

**Brief Description:** Reducing the size of the state supreme court.

**Sponsors:** Senators Smith, McCaslin, Gaspard, Deccio, Wojahn, Snyder, Haugen, Morton, Long, Hale, Rinehart, Newhouse, Loveland, McDonald, Bauer, Oke and Winsley; by request of Supreme Court.

**Brief History:**

**Committee Activity:** Law & Justice: 2/9/95, 2/15/95 [DPS, DNPS].

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### SENATE COMMITTEE ON LAW & JUSTICE

**Majority Report:** That Substitute Senate Bill No. 5467 be substituted therefor, and the substitute bill do pass.

Signed by Senators Smith, Chair; C. Anderson, Vice Chair; Hargrove, Haugen, Johnson, Long, McCaslin, Quigley and Schow.

**Minority Report:** Do not pass substitute.

Signed by Senator Roach.

**Staff:** Dick Armstrong (786-7460)

**Background:** The State Constitution provides that the number of judges of the Supreme Court shall be five, but allows the Legislature to increase that number. Since 1909, the number of judges of the Supreme Court has been set by statute at nine.

Judges of the Supreme Court are elected to six-year terms. Three judges are elected at each biennial general election.

**Summary of Substitute Bill:** The number of judges on the Supreme Court is reduced from nine to seven. Vacancies on the court are not filled until the number of judges is reduced to seven. To allow for the reduction, a vacancy occurs as provided for other nonpartisan offices or if a justice certifies that he or she is not seeking reelection.

**Substitute Bill Compared to Original Bill:** Provisions setting forth the minimum and maximum number of justices to be elected is deleted. Provisions relating to vacancies are clarified.

**Appropriation:** None.

**Fiscal Note:** Requested on February 8, 1995.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Testimony For:** The Supreme Court was to be reduced when the Court of Appeals was started 25 years ago. The reduction will not detract from racial and gender diversity. The court will be more efficient.

The term of the Chief Justice should be extended to four years for better efficiency, and the justices should select the Chief Justice.

**Testimony Against:** None.

**Testified:** PRO: Justice Durham, Supreme Court; Justice Utter, Supreme Court; Mary McQueen, Administrator for the Courts.